bsb

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2715 OF 2006
IN
WRIT PETITION NO. 7213 OF 2002

Pravin Mahadeorao Malvadkar ... Applicant

V/s

The Joint Director & ors. ... Respondents

Mr. M.S.Topkar for the applicant.

Mr. S.K.Chinchalikar, A.G.P. for the respondents.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 31ST AUGUST, 2007.

P.C.:

1. The civil application has been filed for a direction to respondent Nos.1, 2 & 3 to continue the applicant in service without a break. It appears that the applicant has been provided work for 89 days and at the end of this period, the applicant is given a break in service and employed once again with the respondents.

2. While admitting the petition, the relief granted by the Industrial Court to the effect that the benefits of permanency be extended to the applicant with effect from 20.8.1999, was stayed by this Court.

3. In my view, the prayer in the civil application cannot be granted at this interim stage without deciding the issue as to whether the applicant is entitled to the status and benefits of permanency.

4. Civil application dismissed.

5. The dismissal of this civil application does not preclude the respondents from continuing the applicant in service as before.

.....